

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

ISABEL TERESA FERNANDEZ JENKINS, as :
Next of kin of MYKEL D. JENKINS (Deceased), :

Plaintiff, :

vs. :

Civil Action No. 1:22-cv-69

CITY OF CHATTANOOGA, CHATTANOOGA :
POLICE DEPARTMENT, JOHN DOE 1, JOHN :
DOE 2, JOHN DOE 3, and JOHN DOE 4, in their :
Official capacities as agents for the Chattanooga :
Police Department, :

Defendants. :

AFFIDAVIT OF GLENN SCRUGGS

STATE OF TENNESSEE :
COUNTY OF HAMILTON:

Comes now Executive Police Chief Glenn Scruggs, who, after being duly sworn, state as follows:

1. My name is Glenn Scruggs, I am over eighteen (18) years of age and have personal knowledge of the facts and circumstances stated herein.

2. I am currently the Executive Police Chief for the Chattanooga Police Department. I have been employed by the City of Chattanooga, Tennessee in its Police Department since 1994. I have been assigned to this position since 2022. I have more than twenty-five (25) years' experience as a police officer in Tennessee.

3. I am familiar with all written policies concerning investigations of complaints against Police Officers by the Internal Affairs Division of the Chattanooga Police Department as

they existed on or about March 19, 2021. I am also familiar with the customs and practices within the Chattanooga Police Department as they existed on March 19, 2021.

4. On March 19, 2021 and presently, the City of Chattanooga did not and does not have a policy, custom or practice of failing to investigate citizen complaints. Attached is ADM-1 which was the official policy concerning investigation of officer complaints in effect on March 19, 2021. This official policy was implemented and followed by the Internal Affairs division of the Chattanooga Police Department and I am not aware of any policymaker of the Chattanooga Police Department, prior to March 19, 2021, who failed to properly train police officers on the proper basis for using force on a suspect; and the proper use of force in a manner which should not be excessive.

5. The City of Chattanooga does not now and did not on March 19, 2021 maintain a policy, custom or practice of employing police officers who are not properly trained and properly supervised in the use of force, as authorized under Tennessee law at T.C.A. §§ 39-11-603, 39-11-609, 39-11-610, 39-11-612, 39-11-613, and/or 39-11-622.

6. I am not aware of any policymaking official of the City of Chattanooga who has authorized or condoned any policy, custom or practice in the Chattanooga Police Department of allowing its police officers to be inadequately trained or supervised in the use of force as authorized under Tennessee law; or to allow the use of excessive or unwarranted force against any person who may constitute a threat of bodily injury to any officer or other citizens; or to engage in an abuse of power or to misuse their official positions prior to March 19, 2021.

7. I have reviewed the records of the Internal Affairs Division concerning Officer Brian Blumenberg prior to March 19, 2021, and I am aware that Officer Blumenberg was hired as a police officer by the City of Chattanooga on December 15, 2000. I am not aware of any founded

or sustained Internal Affairs investigations concerning improper use of force or improper arrest procedures by Officer Blumenberg prior to March 19, 2021.

8. I have reviewed the records of the Internal Affairs Division concerning Former Officer Blake Martin prior to March 19, 2021, and I am aware that Officer Martin was hired as a police officer by the City of Chattanooga on March 4, 2005. I am not aware of any founded or sustained Internal Affairs investigations concerning improper use of force or improper arrest procedures by Officer Martin prior to March 19, 2021.

9. I have reviewed the records of the Internal Affairs Division concerning Officer Lucas Timmons prior to March 19, 2021, and I am aware that Officer Timmons was hired as a police officer by the City of Chattanooga on March 4, 2005. I am not aware of any founded or sustained Internal Affairs investigations concerning improper use of force or improper arrest procedures by Officer Timmons prior to March 19, 2021.

10. I have reviewed the records of the Internal Affairs Division concerning Officer Barry Vrandenburgh prior to March 19, 2021, and I am aware that Officer Vrandenburgh was hired as a police officer by the City of Chattanooga on April 1, 1993. I am not aware of any founded or sustained Internal Affairs investigations concerning improper use of force or improper arrest procedures by Officer Vrandenburgh prior to March 19, 2021.

11. The records of the Internal Affairs Division do not establish that the City of Chattanooga knowingly permitted or encouraged its officers by any official pattern, practice or custom to violate the constitutional rights of any citizens, including Mykel Jenkins.

12. The records of the Internal Affairs Division establish that City policymakers adequately monitored, supervised and evaluated the performance of all its officers and their use of force prior to March 19, 2021.

13. The records of the Internal Affairs Division establish that police officers are disciplined for their actions and officers are not allowed to use excessive and/or unreasonable force without discipline when warranted. The records of the Internal Affairs Division do not establish that Officer Blumenberg received any discipline in connection with his use of a taser and deadly force during this incident which was reviewed by his Chain of Command of which I was a part. The chain of command investigation found Officer Blumenberg's actions to be compliant with City policy and state law.

14. The records of the Internal Affairs Division do not establish that Officers Blumenberg, Martin, Timmons, and Vrandenburgh were negligently supervised or negligently trained in proper police tactics authorized by any official policies of the City of Chattanooga prior to March 19, 2021.

AFFIANT FURTHER SAITH NOT.


EXECUTIVE CHIEF GLENN SCRUGGS

Sworn to and subscribed before me
this 29 day of September, 2023.


NOTARY PUBLIC AT LARGE

My commission expires: 2-26-25

